

IN THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application:

Claims 1-25 (canceled)

Claim 26 (currently amended): A breathable shoe[[,]] comprising:

¹⁰ an assembly which wraps around a foot insertion region and comprises a ¹²breathable upper;
at least one membrane ¹⁴ ~~made of~~ ^{15, 16, 31, 33, 405, 408} including a material which is waterproof and ^{15, 15} ¹³breathable, ^{see Fig 1 + 5, 7, 8} connected with said breathable upper and ¹⁶ ~~[[is]]~~ associated with said assembly in a downward region;
a sole ¹⁶ ~~made of~~ ^{13, 31, 3, 40} including perforated elastomer, joined to said breathable upper and sealed perimetrically to said membrane;
a protective element ¹⁷ ~~made of~~ ^{16, 31, 406} including a material which is resistant to hydrolysis, water-repellent, breathable or perforated, ~~arranged~~ positioned below said at least one membrane in a region space between an upper part of said sole and ~~[[its]]~~ an internal part ~~which is adjacent to a ground contact surface of said sole.~~

Claim 27 (currently amended): The shoe according to claim 26, wherein said assembly ~~that wraps around the foot insertion region is composed of an upper and~~ includes a breathable or perforated insole which is sewn to edges of said breathable upper according to a Strobel or ideal welt manufacturing method so as to form a sack.

Claim 28 (withdrawn): The shoe according to claim 26, wherein said assembly is constituted by a breathable tubular upper.

Claim 29 (withdrawn): The shoe according to claim 26, wherein said assembly is composed of:

a breathable upper, a breathable or perforated assembly insole, under which edges of said upper are folded and glued so as to form a sack,

a breathable or perforated filler layer which is surrounded by the folded edges of said upper.

Claim 30 (currently amended): The shoe according to claim 26, wherein said sole is ~~made of~~ includes a block of elastomer with through holes through its thickness, is joined to said breathable upper along a perimetric band, and is sealed perimetrically to said at least one membrane.

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Claim 31 (withdrawn): The shoe according to claim 26, wherein said sole has, in its upper part, a hollow region which is delimited perimetrically by a border, protrusions protruding from said hollow region, and holes or channels being formed in said border and connecting said hollow region to the outside.

Claim 32 (withdrawn): The shoe according to claim 31, wherein each one of said holes is inclined with respect to the ground contact surface so that an outward part is lower than an inward part.

Claim 33 (withdrawn): The shoe according to claim 32, wherein said holes have one-way valves which only allow air to flow outward.

Claim 34 (currently amended): The shoe according to one of claim 26, wherein said sole is joined to said breathable upper by gluing with hydrolysis-resistant adhesives or by high-frequency welding.

Claim 35 (currently amended): The shoe according to claim 30, wherein said sole is joined to said breathable upper by direct injection in a mold.

Claim 36 (currently amended): The shoe according to claim 26, wherein an edge of said protective element lies inside an edge of said membrane in order to allow ~~to form~~ forming a seal with said sole.

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Claim 37 (previously presented): The shoe according to claim 26, wherein an edge of said membrane is folded around an edge of said protective element.

Claim 38 (previously presented): The shoe according to claim 26, wherein said protective element is thinned at its edge if it has a same perimeter as the membrane, so as to allow the sealing adhesive to penetrate between said membrane and said sole.

Claim 39 (currently amended): The shoe according to claim 26, wherein said protective element ~~is made of~~ includes a material which is water-repellent and capable of drying rapidly.

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Claim 40 (withdrawn): The shoe according to claim 26, wherein said protective element is sandwiched between two components which are mutually joined hermetically and into which said sole is divided, each component having through holes.

Claim 41 (currently amended): The shoe according to claim 26, wherein said protective element ~~is made of~~ includes Kevlar fabric or filtering fabric.

Claim 42 (currently amended): The shoe according to claim 26, wherein said breathable upper is associated with a breathable or perforated lining by spot gluing.

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Claim 43 (currently amended): The shoe according to claim 26, wherein said membrane is coupled to a supporting mesh ~~made of~~ including synthetic material.

Claim 44 (currently amended): A method for manufacturing a breathable shoe comprising the steps of:

providing an upper assembly having a breathable upper;

providing a membrane ~~made of~~ including a material which is waterproof and breathable and connected with the breathable upper;

providing a sole ~~made of~~ including perforated elastomer; and

mutually attaching said upper assembly, said membrane, and said sole such that said membrane is ~~arranged~~ positioned between said upper assembly and said sole and said sole is

sealed perimetrically to said membrane, in a manner to prevent moisture from entering into said upper assembly from said sole through said membrane, and to permit moisture to leave an inside of said upper assembly through said membrane and through said sole.

Claim 45 (previously presented): The method of claim 44, further comprising:
initially attaching said membrane to said upper assembly so that said upper assembly is a unitary upper assembly including said membrane; and
subsequently attaching said unitary upper assembly to said sole.

Claim 46 (previously presented): The method of claim 45, further comprising
attaching said membrane to said upper assembly by spot gluing.

Claim 47 (previously presented): The method of claim 46, further comprising:
providing a breathable insole and an upper;
attaching said breathable insole to said upper by means of stitches; and
attaching said membrane to said insole.

Claim 48 (withdrawn): The method of claim 46, further comprising:
providing a tubular upper, of said upper assembly, having a bottom portion extending continuously between two opposite side portions; and
attaching said membrane to said bottom portion of said tubular upper.

Claim 49 (withdrawn): The method of claim 46, further comprising:
providing a breathable assembly insole, a breathable filler layer, and an upper;
attaching folded edges of said upper below said assembly insole, and attaching said filler layer below said assembly insole; and
attaching said membrane to said filler layer.

Claim 50 (previously presented): The method of claim 44, further comprising:
initially attaching said membrane to said sole so that said sole is a unitary sole assembly including said membrane; and

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subsequently attaching said unitary sole assembly to said upper assembly.
